

News Release

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Hon Gail Gago
Minister for State/Local Government Relations
Minister for the Status of Women
Minister for Consumer Affairs
Minister Government Enterprises
Minister Ast Minister for Transport, Infrastructure & Energy

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WARNING ABOUT 'MODENA' TWO WHEELERS

South Australians in the market for a cheaper vehicle are warned that some electric scooter type bikes with pedals cannot legally be ridden on the road, despite misleading claims being made to the contrary.

Minister for Consumer Affairs Gail Gago says one Adelaide trader has been given an official warning by the Office of Consumer and Business Affairs for making misleading representations in relation to a so-called 'Modena' power assisted pedal bike.

"The Northfield based trader, TINASCT Pty Ltd (pronounced 'Tenacity'), has been asking around \$1,200 for the vehicles claiming they're a power assisted pedal bike that is '*road legal, no licence or registration required*,'" says Minister Gago.

"Problem is it's too powerful to be deemed a power assisted pedal cycle, so it would require registration and the rider to be licensed.

"Even then, the Department of Transport, Energy and Infrastructure (DTEI) advises it can't be registered because this particular bike isn't road legal.

"Independent laboratory testing arranged by DTEI has confirmed the power and consumer authorities have notified TINASCT of the test results, advising the trader to cease making false or misleading claims to potential buyers.

"OCBA will be monitoring future advertising and representations made by TINASCT.

"The trader has been warned that the maximum penalty for false or misleading representations is \$100,000 under the *Fair Trading Act 1987* and the company may also be liable to compensate consumers if the scooters are not fit for their intended purpose.

"Consumers who have purchased a Modena electric scooter may be entitled to a refund, and should contact OCBA for further advice," says Minister Gago.

Consumers are also advised to cease riding the Modena and similar scooters on public roads, or they risk being charged by Police for breaches of road traffic laws.

DTEI arranged for the Modena scooter to be tested independently, as the authority on road safety matters, and the test report showed that the scooter had a power output of 604 watts, three times the 200 watts limit prescribed by the *Road Traffic (Vehicle Standards) Rules 1999*. DTEI has advised OCBA that the vehicle must be registered for public road use and is therefore required to meet the Australian Vehicle Standards.

For more information about Modena electric scooters contact OCBA on 8204 9777, or 131 882 for country callers.

This public warning has been issued under Section 91A of the Fair Trading Act 1987.